

# WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

## DIVISION OF HIGHWAYS

### SPECIAL PROVISION

#### FOR INTERSTATE / APPALACHIAN STRIPING CONTRACT

STATE PROJECT NUMBER: \_\_\_\_\_

FEDERAL PROJECT NUMBER: \_\_\_\_\_

### SECTION 108

#### PROSECUTION AND PROGRESS

##### 108.7 COMPLETION DATES

##### 108.7.1 – Failure To Complete On Time And Liquidated Damages:

##### DELETE PARAGRAPH TWO AND REPLACE THE FOLLOWING.

Therefore for each Calendar day the project is deemed not to be Substantially Complete after the Contract Time specified for completion of the work, subject to such extensions of contract time required or permitted in 108.6, the Division will assess liquidated damages against the Contractor. Daily charges will be deducted for each calendar day as defined in 101.2 on all contracts. The total amount of daily charges will be deducted from any monies due the Contractor, not as a penalty but as liquidated damages. Unless specified elsewhere in the Contract, the amount of the daily charge will be calculated from the table below.

**TABLE 108.7.1 SCHEDULE OF LIQUIDATED DAMAGES**

ORIGINAL CONTRACT AMOUNT		DAILY CHARGE
From More Than	To And Including	Per Calendar Day
\$ 0	\$ 25,000	\$ 40
\$ 25,000	\$ 100,000	\$ 70
\$ 100,000	\$ 500,000	\$ 150
\$ 500,000	\$ 1,000,000	\$ 310
\$ 1,000,000	\$ 2,000,000	\$ 570
\$ 2,000,000	\$ 5,000,000	\$ 910
\$ 5,000,000	\$ 10,000,000	\$ 1410
\$ 10,000,000	-----	\$ 3280